

REMARKS

Claims 1-5 and 7-10 are pending.

Claims 1, 3 and 4 are amended by this response. The support for these amendments is as follows. Claim 1 (Specification, p. 20, l. 24-p. 21, l. 21); Claims 3 and 4 (Amended to correct informality). Claim 11 is canceled. No new matter is added.

Restriction Requirement Under 35 U.S.C. 121 and 372. (Office Action p. 2)

In accordance with the telephone conversation with the Examiner on March 28, 2008, Applicants elect Group I, claims 1-5 and 7-10, without traverse.

Specification (Office Action p. 5)

The specification has been review for errors. An amendment to the specification to correct a minor error is submitted.

The Applicants have amended the abstract by this response. The Applicants respectfully request reconsideration of the objection.

Claim Objections (Office Action p. 6)

Claim 4 is objected to for including a reference number in an alphanumeric character and a reference number in roman numerals. The Applicants have amended claim 4 so that the reference numbers are in roman numerals. Applicants respectfully request reconsideration of the objection to claim 4.

Claims 1-5 and 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. (Office Action p. 6)

Applicants have amended claim 1 to clarify the contents of the transfer layer. As recited in amended claim 1, the transfer layer contains a curable resin layer. The curable resin layer contains a curable resin selected from a radiation-curable resin having at least three (meth)acryloyl groups in a molecule, and a thermosetting resin containing blocked isocyanate and polyol. The curable resin layer also contains a non-polymerizable thermoplastic resin having a glass transition temperature of 35 to 200°C which is compatible with the curable resin. Support for amended claim 1 can be found in the specification at page 20, line 24-page 21, line 21.

Claims 1-5 and 7-10 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1 and 3-6 of copending Application No. 10/574,040 (U.S. Publication No. 2007/0042163). (Office Action p. 7)

As of August 4, 2008, copending application 10/574,040 is still pending. Therefore, this rejection is provisional and nothing must be filed at this time. However, should U.S. Patent Application No. 10/574,040 issue as a patent, the Applicants will consider the double patenting rejection at that time.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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